



MONTGOMERY COUNTY PLANNING DEPARTMENT
 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Item # **5**
MCPB 4.17.08

MEMORANDUM

DATE: April 2, 2008
 TO: Montgomery County Planning Board
 VIA: Rose Krasnow, Chief *RK*
 Robert Kronenberg, Supervisor *DK*
 Development Review Division
 FROM: Elza Hisel-McCoy, Assoc. AIA, LEED-AP *EM*
 Development Review Division
 (301) 495-2115
elza.hisel-mccoy@mncppc-mc.org



REVIEW TYPE: **Project Plan Review**
 CASE #: **920060070**
 PROJECT NAME: **The Veneto**

APPLYING FOR: Extension of the 90-day review period for a project plan for up to an additional 90 days, or no later than July 10, 2008
 REVIEW BASIS: Div. 59-D-2.2 of Montgomery County Zoning Ordinance

ZONE: CBD-1
 LOCATION: The west quadrant of the intersection of Norfolk Avenue and Cordell Avenue
 MASTER PLAN: Woodmont Triangle Amendment to the Bethesda CBD Sector Plan

APPLICANT: Norfolk-Cordell II, LLC
 FILING DATE: March 17, 2006
 HEARING DATE: April 17, 2008

Section D-2.2 of the Zoning Ordinance provides that the Planning Board shall hold a public hearing no later than 90 days after the filing of a project plan. The Planning Board may, however, extend this period. In response to the Applicant's request for additional time to allow the County Council to complete its deliberations on a pending Zoning Text Amendment (ZTA), the Board on November 1, 2007, extended the review period for this proposed project plan until January 24, 2008, and on January 24, 2008, extended it again until April 17, 2008. Should the ZTA be approved, the Applicant would like to take advantage of the Amendment with regard to their provision of Public Open Space required by the Zoning.

The Council has yet to approve the ZTA, and the Applicant, in their letter dated March 25, 2008, is requesting an additional 90-day extension of the review period, until no later than July 10, 2008, to await final resolution of the proposal. Staff recommends APPROVAL of the extension request.

**SHULMAN
ROGERS
GANDAL
PORDY &
ECKER, P.A.**

Lawrence A. Shulman
Donald R. Rogers
David A. Pordy+
David D. Freishtat
Martin P. Schaffer
Christopher C. Roberts
Edward M. Hanson, Jr.
David M. Kochanski
Robert B. Canter
Daniel S. Krakower
Nancy P. Regelin
Samuel M. Spiritos+
Martin Levine
Worthington H. Talcott, Jr.+
Fred S. Sommer
Morton A. Fallor
Alan S. Tilles
James M. Hoffman
Michael V. Nakamura
Jay M. Eisenberg*

Douglas K. Hirsch
Glenn C. Etelson
Karl J. Protl, Jr.+
Timothy Dugan+
Kim Viti Fiorentino
Sean P. Sherman+
Gregory D. Grant+
Jacob S. Frenkel*
William C. Davis, III
Michael L. Kabik
Scott D. Museles
Michelle R. Curtis*
Michael J. Lichtenstein
Howard J. Ross+
Jeremy W. Schulman
Rebecca Oshoway
Alan B. Sternstein
Michael J. Froehlich
Sandy David Baron
Christine M. Sorge
Jeffrey W. Rubin

Simon M. Nadler
Karl W. Means
Mimi L. Magyar
Glenn W.D. Golding+
Matthew M. Moore+
Jeannie Eun Cho
David S. Wachen
Stephen A. Metz
Patrick J. Howley
Jacob A. Ginsberg
Christine P. "Tina" Hsu
Aaron A. Ghais
Eric J. von Vorys
Hong Suk "Paul" Chung+
Deborah A. Klis
Heather L. Howard+
Kirstin E. Draper*
Melissa G. Bernstein*
John D. Sadler
Marc E. Pasekoff
Alexis H. Peters*

Meredith S. Campbell
Leslie G. Moylan*
Anne Marie Vassallo*
Matthew D. Alegi*
Melanie A. Kcegan
Thomas A. Gravely
Rebekah L. Bina
William F. Gibson+
William B. Schroeder+
Lawrence M. Kramer
Alexander C. Vincenr*
Stacey L. Schwabér*
Courtney R. Sydnort
Michelle Hunter Green*
Jessica O. Hepburn*
Mark R. Mann†
Scott Sina*
Max R. Masinter*
Alan B. Sutton*
Elizabeth T. Passyn*
Rachel E. Solomon*
Reza Golesorkhi*

Of Counsel
Larry N. Gandal
Jeffrey A. Shane
Richard P. Meyer*
Larry A. Gordon*
Lawrence Eisenberg
Deborah L. Moran
Scott D. Field
Debra S. Friedman*
Laura L. Smith*

Special Counsel
Philip R. Hochberg*

Retired
Karl L. Ecker

Maryland and D.C. except as noted:
+ Virginia also ° D.C. only
* Maryland only ■ VA only
† D.C. and VA only
‡ MD and VA only

Writer's Direct Dial Number:

(301) 255-0541
amvassallo@srgpe.com

March 25, 2008

Mr. Elza Hisel-McCoy
Community Based Planning Division
Montgomery County Department of Park & Planning
8787 Georgia Avenue
Silver Spring, Maryland 20910-3670

Re: Veneto: Project Plan No. 920060070
Applicant: Norfolk-Cordell II, LLC

Dear Mr. Hisel-McCoy,

We wish to communicate to Planning Staff and to the Montgomery County Planning Board that the Applicant in the above-captioned matter requests an additional extension for its Project Plan hearing. At the Planning Board's November 1, 2007 and January 24, 2008 meetings, the Applicant received an extension of up to ninety days. We again seek such an extension to provide relief from the requirement of Montgomery County Zoning Ordinance Sec. 59-D-2.2 which calls for a Project Plan hearing to be held within 90-days of the application's filing.

The Applicant and others continue to await the Planning, Housing and Economic Development (PHED) Committee's and the full County Council's review of Zoning Text Amendment 07-10 concerning amendments to the Central Business District zones. At present, the PHED Committee is expected to continue its Worksession in review of ZTA 07-10 on March 31, 2008.

Thank you for your assistance. Please let us know if you have any questions.

Sincerely yours,

SHULMAN, ROGERS, GANDAL,
PORDY & ECKER, P.A.

By: Anne Marie Vassallo
Anne Marie Vassallo

cc: Norfolk-Cordell II, LLC
David D. Freishtat, Esq.

Ltr-Hisel-McCoy-Consent for up to 90 day extension for hearing 03 25 08.doc

11921 Rockville Pike, Rockville, Maryland 20852-2743 • Tel: (301) 230-5200 • Fax: (301) 230-2891
Washington, D.C. Office: (202) 872-0400 • Greenbelt, Maryland Office: (301) 699-9883 • Tysons Corner, Virginia Office: (703) 684-5200
E-mail: lawfirm@srgpe.com • Internet: www.shulmanrogers.com